IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 7692 of 1998

For Approval and Signature:

HON'BLE MR.JUSTICE AKSHAY H.MEHTA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

KOKILABEN V PURABIA

Versus

INDIAN INSTITUTE OF MANAGEMENT

Appearance:

1. Special Civil Application No. 7692 of 1998

MR ANAND L SHARMA for Petitioner No. 1

NANAVATI ASSOCIATES for Respondent No. 1-2

CORAM : HON'BLE MR.JUSTICE AKSHAY H.MEHTA

Date of decision: 23/06/2004

ORAL JUDGEMENT

1. This petition is filed under Article 226 of the Constitution of India against Indian Institute of

Management. The Division Bench of this Court in the decision rendered in the case of Indian Institute of Management v/s. Ukakant Shrivastava reported in 2002 (1) G.L.H. p. 330 has held that the Indian Institute of Management is not "State" within the meaning of Article 12 of the Constitution of India and petition under Article 226 is not maintainable against it. In view thereof, Mr. Anand Sharma, learned advocate for the petitioner seeks permission to withdraw this petition with a view to approach the appropriate forum by filing appropriate proceedings. The request appears to be reasonable, hence he is accordingly permitted to withdraw this petition with a view to approach the appropriate forum. Petition stands dismissed as withdrawn. Rule discharged with no order as to costs.

[AKSHAY H. MEHTA, J.]

* Pansala.